

ASSEMBLY BILL

No. 990

Introduced by Assembly Member Allen

February 18, 2011

An act to amend Section 69954 of the Government Code, relating to court transcripts.

LEGISLATIVE COUNSEL'S DIGEST

AB 990, as introduced, Allen. Court transcripts.

Existing law authorizes a court, party, or person who has purchased a transcript to reproduce a copy or portion thereof as an exhibit, pursuant to court order or rule, or for internal use, without paying a further fee to the reporter, but prohibits otherwise providing or selling a copy or copies to any other party or person.

This bill would additionally prohibit distributing, publishing, or emailing a copy or copies of the transcript to any other party or person. The bill also would prohibit a court, party, or person that does not purchase a transcript, but, pursuant to a specified rule of court, requests another party to lend it that party's copy of the transcript or is temporarily in possession of the transcript, from distributing, publishing, emailing, selling, or reproducing a copy or portion thereof without paying a fee to the reporter. The bill would provide that a transcript loaned pursuant to that rule of court may be used only to submit an appellate brief, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 69954 of the Government Code is amended to read:

69954. (a) Transcripts prepared by a reporter using computer assistance and delivered on a medium other than paper shall be compensated at the same rate set for paper transcripts, except the reporter may also charge an additional fee not to exceed the cost of the medium or any copies thereof.

(b) The fee for a second copy of a transcript on appeal in computer-readable format ordered by or on behalf of a requesting party within 120 days of the filing or delivery of the original transcript shall be compensated at one-third the rate set forth for a second copy of a transcript as provided in Section 69950. A reporter may also charge an additional fee not to exceed the cost of the medium or any copies thereof.

(c) The fee for a computer-readable transcript shall be paid by the requesting court, party, or person, unless the computer-readable transcript is requested by a party in lieu of a paper transcript required to be delivered to that party by the rules of court. In that event, the fee shall be chargeable as statute or rule provides for the paper transcript.

(d) Any court, party, or person who has purchased a transcript may, without paying a further fee to the reporter, reproduce a copy or portion thereof as an exhibit pursuant to court order or rule, or for internal use, but shall not otherwise provide, *distribute, publish, email*, or sell a copy or copies to any other party or person.

(e) Any court, party, or person that does not purchase a transcript and, pursuant to Rule of Court 8.153, requests another party to lend it that party's copy of the transcript or is temporarily in possession of the transcript, shall not distribute, publish, email, sell, or reproduce a copy or portion thereof without paying a fee to the reporter. A transcript loaned pursuant to Rule of Court 8.153 may be used only to submit an appellate brief, and shall be returned to the purchasing party in its original condition.